

## **REMARKS**

### **Administrative Overview**

Initially, claims 1–20 were presented for examination. In a response filed on March 7, 2000, we amended independent claims 1 and 11. In a response filed on July 24, 2000, we amended independent claims 1 and 11 again. Upon entry of this paper, claims 1-20 will be pending in this application.

The instant Office Action was mailed on September 28, 2006. The Office Action rejected claims 1-20 under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,014,645 to Cunningham (hereinafter “*Cunningham*”). We respectfully traverse these rejections and request reconsideration of the claims in light of the preceding amendments and the discussion below. Basis for the amendments to the claims may be found, for example, at pages 14 and 15 of the application as filed. We submit that no new matter has been introduced by these amendments.

### **The Claims, as Amended, are Patentable over *Cunningham***

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Cunningham*. Anticipation requires the demonstration of “each and every element” of a claim in a single prior art reference. MPEP § 2131. A rejection for obviousness also requires the demonstration of each and every element of a claim. MPEP § 2143. We respectfully submit that *Cunningham* fails to teach or suggest all of the limitations of independent claims 1 and 11, as amended, and therefore neither anticipates nor renders obvious these claims or any of the remaining claims that depend therefrom.

Generally speaking, the present invention relates to a “a criteria-based, user programmable consumer credit information distribution and reception tool with automated finance product response option capabilities.” Application at 1. In a typical embodiment, finance institutions are allowed to custom-form an electronic profile of a model applicant for a given finance product, and limit financing consideration only to those credit applicants who match the model profile. Id. at 5. When a match is made and the user accepts the offer, the applicant’s profile is sent to the finance institution. This profile, however, is not a complete applicant profile. Id. at 15. Instead, the “representation” omits certain personal data, which

legally renders the “representation” something less than a “credit application.” Id. at 15. This allows the profile to be handled without costly credit application processing or a formal response to the applicant. Id. at 15. If the lender’s preliminary review subsequently indicates the “representation” is of interest, the lender may then download the complete applicant profile. Id. at 15.

In brief overview, *Cunningham* teaches a system for presenting financial card offers to potential customers. *Cunningham* at Abstract. In this system, a user may be assigned a financial risk rating based on the personal, financial, and credit history provided to the system. Id. at col. 2, ln. 19-22. The financial risk rating may be used to locate financial card offers, from which the user may then accept an offer. Id. at col. 2, ln. 22-26. Upon acceptance of an offer, the user’s personal information is then forwarded to the financial institution for processing and a financial card is sent to the user. Id. at col. 2, ln. 26-29.

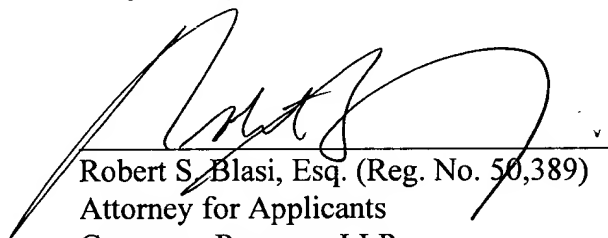
As amended, independent claims 1 and 11 recite, sending “a representation of application data through the system to lender, the representation comprising a subset of the applicant data omitting personal data.” We respectfully submit that *Cunningham* neither teaches nor suggests at least this claim limitation because it fails to teach or suggest the idea of “a representation of application data....omitting personal data” and instead sends all the application data to the lender.

For these reasons, we submit that *Cunningham* fails to teach or suggest all of the elements present in the Applicants’ independent claims 1 and 11. Therefore, we respectfully submit that independent claims 1 and 11, and the remaining claims, which depend therefrom, are patentable over *Cunningham*.

**CONCLUSION**

In light of the foregoing, we respectfully submit that all of the pending claims are now in condition for allowance. Accordingly, we respectfully request the withdrawal of all grounds of rejection, and the allowance of all pending claims in due course. If the Examiner believes that a telephone conversation with the applicants' attorney would be helpful in expediting the allowance of this application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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